IMPEACHMENT!

That Writ of Quo Warranto!

by those usually well-informed in regard to | Richards is there with his force, doing excelthe purposes of the President, that he had instructed Attorney General Stanbery to apply this morning to the Supreme Court of the gallery corridors, guarded by policemen. the U. S. for a writ que warrant against Mr. Stanton, for the purpose of bringing the censtitutionality of the tenure of office law directly before the Court, and thus obtaining a speedy adjudication of the question.

There was consequently a considerable pressure in the direction of the Supreme Court chamber, but up to noon there was no indication of any such motion on the part of Mr. Stanbery, and prominent legal gentlement present scouted the idea that it could come up before the Supreme Court of the United States for want of original jurisdiction.

THE RUMORED WRIT OF MANDAMUS It having been stated that the Attorney General would apply to-day for a writ of quo warrante, to demand by what authority Secretary Stanton holds possession of the War Department building, with the books, papers, &c., of the office, a great many persons were about the City Hall, in anticipation of the application being made to the Supreme Court of the District of Columbia. Up to Boon, however, there was no action in reference to the matter before this court, and neither Judge Cartter nor the officers of the court knew anything of it.

THE MILITARY NOT ALLOWED TO AT-TEND A FUNERAL.

In consequence of the excitement in the city, the funeral this morning at 10 o'clock of the late Major M. J. Kelly, U. S. A., whose remains, with those of Major Simpson, were brought to this city on Friday, was not attended by a military escort, the authorities fearing that the appearance of armed military on the streets might add to the excitement. A delegation of officers attended the funeral, however.

THAT BREVET GENERALSHIP "GOING A BEGGING!"

General George H. Thomas Declines !! The following letter received by telegraph in cypher at the War Department on Saturday. was delivered to Senator Wade on Saturday

Louisville, Ky., February 22, 1868.-Hon. B. F. Wade, President of the Senate : The morning papers of Louisville announce officially that my name was yesterday sent to the Senate for confirmation as Brevet Lieutenant General and Brevet General. For the battle of Nashville I was appointed a Major General, United States army. My services during the war do not merit so high a compliment, and it is now too late to be regarded as a compliment if conferred for service during the war. I therefore | moved his family in 1792 to the Muskingum earnestly request that the Senate will not con- | river, and thence to a place on the frontier setfirm the nomination.

THE MILITARY AND THE PRESI-

GEORGE H. THOMAS, Major General.

DENT. Many exciting reports have been in circulation since Saturday as to the part to be taken | Court of the United States. In March, 1831 by the military hereabouts in the difficulty between the President and Congress. It was ber of the Whig party, and became associated currently reported yesterday that the 12th regiment, (Col. Wallace,) was to be employed to enable Gen. Thomas to take military possession of the War Department; that Gen. Thomas | public to take an entirely different role. He was then to get himself arrested under the civil tenure act for the proceeding and pardoned by the President before trial under the President's pardoning powers.

The Chronicle of this morning says : "In connection with the question of a resort to force, there is an important consideration which has, no doubt, had great weight with both the President and his ad interim appointee in bringing them to a pacific state of mind. and that is, where the force is to be obtained. The President finds, to his embarassment that his subordinates in the army have a due sense of the importance of obedience to the laws-a discovery which may lead him to conclude that the assertion he once made of his ability to declare himself dictator was somewhat premature. The laws provides that no orders shall be issued to the army except through the General commanding. This provision was promulgated in general orders, and thus made known to every officer in the army after its enactment, and consequently any officer who should receive an order otherwise than through the proper channel would do so in full view of the consequences. Very naturally, the President has not yet found any one willing to take upon himself the responsibility of a course which would be at once a violation of the law and of army regulations.

"On Saturday he sent for Gen'l Emory, who commands the Department of Washington, and whose co-operation he, therefore, doubtless regarded as a very important adjunct to his scheme. Had General Enery consented to become his tool, it is not likely that we should of Mr. Fillmore, July 9, 1850, this division of have heard any of the pacific talk to which we are now treated, at least until an attempt had been made to use stronger measures. But he was too good a soldier, and too loyal a citizen to lend himself to the President's purpose; and it is even said that he informed | during Corwin's unexpired term in the Senate. the President of his position in the somewhat blant expression, "You can't use me." subsequently called at General Grant's head. | eral Taylor's administration. He did not vote quarters, and stated to him the result of the interview. We believe he had another interview with the President afterward, but nothing is known as to what transpired therein, except that General Emory's position remains unaltered. It is understood that the commanding officers of the troops within the department of Washington have all had their attention called to the law, and been reminded of their duty thereunder. It is stated that the President subsequently sent for Col. Wallace, commanding the 12th infantry, but found him as incorruptible as Gen. Emory. The only encouragement he has met with, so far as we can hear, is from the venerable Secretary of the Navy. This "old man of the sea," with characteristic officiousness, has, we learn, tendered to the President the service of the marines located in this city, of whom there are about 400. under the command of Gen. Zeilin, an officer who, we learn, is in accord with Congress. All things considered, circumstances seem very unfavorable for a resort to force against the Secretary of War, if the President really has enter-

tained such a design." On the other hand, "Data" writes to the Sun in regard to these reports:

"I have the authority of the President for saying that there is no word of truth in these statements. On the contrary, the information reached Mr. Johnson that certain significant movements of troops had taken place, and Gen. Emory was called upon to explain what transpired, but no demand has been made by the President for soldiers of any body for any pur-

"This idea of directing the military to execute the orders of the Executive in carrying out the order removing Mr. Stanton, or in any way taking part in the controversy relative to the possession of the War Department, originated entirely outside of the White House. As heretofore stated in these dispatches, the President has treated the whele matter of the removal of Mr. Stanton as coming within the civil law, and has not proposed or contempla-ted the intervention of the military, directly or indirectly, in the execution of his orders o plans. The only use thus far made of the mil-rtary in the War Department imbroglio has been by order of Mr. Stanton, who has now a double guard surrounding the War Office to protect him, and obey his orders as against the action of his superior, the President."

When In

VOL. XXXI.

WASHINGTON, D. C., MONDAY, FEBRUARY 24, 1868.

Nº. 4.663.

ton. He doubted if the people would sustain this effort. Those who advocate impeachment

insist that the President has violated the law,

Great Excitement at the Capitol.

Police Force in Requisition.

The pressure and excitement at the Capitol to-day is surpassing anything known since the most exerting periods of the war. It was found necesary this morning for the preservation of order and to prevent the windows and passages from being entirely blockaded by the excited crowd to call in the aid It was telegraphed from this city last night of the Metropolitan Police, and Major lent service in keeping things straight. It has been found requisite to place strong bars across to keep back the crowd.

THE WAR DEPARTMENT

was opened this morning at 9 o'clock, with Mr. Stanton in his office, he having remained there during the night; in fact he has not been away from the building since Friday. He was visited at an early hour this morning by a large number of Senators and Representatives, all of whom were admitted to his office. Judge Fisher, of the District Supreme Court, called at 10:15, and was followed by General O. O. Howard. While these gentlemen were in the room, General Thomas entered the building and proceeded to Mr. Stanton's room, where he again made the demand for the Department, and Mr. Stanton again refused to surrender the same. General Thomas, after an interview of about ten minutes, withdrew and proceeded to the Assistant Adjutant General's room, occupied by Generals Townsend and Williams. Here be remained about five minutes, and then proceeded to the Executive Mansion, where he had a short interview with the President. Mr. Stanton received the mails with martment to morning, and transacted all the business thereof as usual.

AT THE WHITE HOUSE.

The President was visited at an early hour by Postmaster General Randell, Attorney General Stanbery and Secretary Welles, who remained with him fer some time. Gen. Thomas also called, and and a short interview previous to going to the War Department. Several members and Representatives also called to see the Executive during the morning. General Thomas, after his second visit to the White House, proceeded to his residence on H. near 10th street, after stating to several persons that he was indisposed to-day, and did not know that he would visit the War Department again during the day.

THE NOMINATION OF MR. EWING AS

SECRETARY OF WAR. It seems that the message which was transmitted to the Senate on Saturday by the President, but which was not delivered in consequence of the early adjournment of that body, was a nomination of the Hon. Thomas Ewing, sr., of Ohio, to be Secretary of War.

Mr. Ewing was born in Ohio county, Va.,

December 25, 1789. His father, who had served in the American army during the Revolution and had become reduced in circumstances, retlement of Ohio, now Athens county. Mr. Ewing, when about twenty-three years of age entered the Ohio University, having saved money enough to pay his tuition there. In 1816 he was admitted to the bar, and practiced with success in the State courts and Supreme he took his seat in the U.S. Senate as a memwith Clay and Webster in resisting what werdeemed the encroachments of the Executive. Oddly enough he seems now to be brought into spoke against the nomination of Mr. Van Buren as Minister to the Court of St. James; supported the protective tariff system of Mr. Clay; advocated a reduction of the rates of postage, a recharter of the U. S. Bank. In 1835 he introduced a bill for the settlement of the much vexed Ohio boundary question, which was passed March 11 and June 15, 1836. In March. 1837, Mr. Ewing's term expired, and he resumed the practice of his profession. In 1840 he advocated the election of General Harrison to the Presidency, and when that gentleman came into office ne became Secretary of the Treasury, which office he retained under President Tyler. Mr. Ewing, with all the other members of the Cabinet, except Mr. Webster, resigned in September, 1841. and published his letter of resignation explaining his course. On the accession of General Taylor to the Presidency in 1849 he took office as Secretary of the recently created Depariment of the Interior. On the slavery question he separated from his old associates, Mr. Clay and others, who urged the necessity of comprehensive legislation to settle the whole matter for once and forever, while Mr. Ewing agreed with the President in thinking the action of Congress uncalled for. On the death of General Taylor and the accession . in the Whig party was made the basis of a change in the Cabinet. Mr. Corwin became Secretary of the Treasury, and Mr. Ewing was appointed by the Governor of Ohio, to serve In this body he was an active defender of Genfor the fugitive slave law; helped to defeat Mr. Clay's compromise bill, and advocated the abolition of slavery in the District of Columbia. In 1861 he retired from public life, and has since resided in Lancaster, Ohio, and engaged in the

practice of the law. This appointment will come before the Senate for confirmation, but, until confirmed, will not affect the position of General Lorenzo Thomas, whose appointment is that of Secretary of War ad interim.

37 The Chicago Post says:-M. Nelaton. Garibaldi's famous surgeon, has taken a man's jaw off and put it on again. We suggest another patient for M. Nelaton to try his experiment upon. His name is Train. Only, if he once succeeds in getting that jaw off, we pray Beaven he may never succeed in getting it on

Mrs. Elizabeth Boyle, of New York Mills. a lady fitty years of age, on Thursday morning was standing on an old-fashioned chair, with the back out and the standing posts in, when she fell upon one of the posts, which entered her side. She lay thus impaled and insensible, till she was found by some of her frineds. She subsequently died in great agony.

While all the rest of the country is suffering under pressure of hard times, Kansas finds work and food for all in its borders. In Leavenworth, not one of the 10,000 population

is suffering for the necessaries of life. The little son of a Pittsfield (Mass.) clergyman, seeing his mother making biscuit on Sunday, for supper, asked her if it wasn't wick-ed to work on Sunday? Being answered in the affirmative, the three-year old rejoined, " 'Oo'll

catch it when 'oo get to beaven!" There are 517 women employed as clerks The superintendent of the braid mill a

the falls in Norwich, Conn, has notified thet thirty girls at work there that after March 1st they must work eleven hours for the same wages they have received for ten. Thirteen girls have consequently sent in notice to quit. New Sharon, Mo., don't want tobacco chewers as teachers,

some problem a stime of the court

THE PRESIDEN'T'S REASONS.

The President to-day sent a message to the Senate, in answer to the resolution of that body. and stating his reasons for removing Mr. Stanton. It is a document of forty foolscap pages, in the President's own handwriting. The President, in defending his course, says that under the law and the Tenure of Office act itself, Mr. Stanton's term of office expired on the 4th of April, 1865, one year after the expiration of Mr. Lincoln's term, for which term he was nominated and confirmed. He argues that Mr. Stanton has acted ever since as Secretary of War by sufferance, and that not having been nominated and confirmed since the expiration of his first term, the Senate has no control over his tenure of office.

THE VOTE ON IMPEACHMENT.

By the order passed by the House, the vote on impeachment must be taken at 5 p. m., Mr. Stevens having the floor to close the argument at half-past four o'clock. Though this order cuts off fillibustering motions to delay a vote, it is possible that by dividing the question it may be considerably later than 5 p. m. before a decisive vote is reached.

The vote may, however, be stated in advance, as it is quite certain, from the developments of to-day, that impeachment will be carried by almost a strict party vote. Messrs. Hawkins of Tennessee, Stewart of New York. and Cary of Ohio, who do not act invariably with the Republican party, are held to be the only doubtful members,

We shall issue an extra giving the result as soon as a vote is reached.

SCENES AT THE CAPITOL.

A DAY OF EXCITEMENT.

This has been a memorable day at the Capitol. Long before ten o'clock, the time for the meeting of the House, the rush of spectators had commenced in that direction. Every inch of available space in the galleries was occupied before 9 a. m., including the sacred precincts of the Diplomatic gallery. What is called the Colored gallery was invaded by eager white spectators, whose anxiety to witness the proceedings caused them to push in, regardless of associations or surroundings.

On Saturday the crowd overflowed into the Reporter's gallery, greatly to the inconvenience of the knights of the pen and pencil, who, feeling themselves aggrieved, addressed a remonstrance to Speaker Colfax. That official, mindful of the rights of the press, very promptly issued an order to the door-keeper of the Reporter's gallery, ordering him to admit no one. not even a Senator, unless those to whom seats had been assigned, except by order of himself, and to keep both the Reporter's gallery and the ante-room for the convenience of the press as far as possible with the great pressure on all the galleries to-day.

Rigid rules were also laid down for the exclusion of spectators from the body of the hall, greatly to the disappointment of the ladies, who had rallied in great force at the hall entrances, and expected to cary all before

The buzz was such as to make it almost impossible to hear what was going on in the House, and indeed little attention seemed to be given to the speech-making, it being understood that the question would be debated strictly on party lines. Something more than the current interest was manifested when members like Jugde Poland and others heretofore opposed to impeachment took the floor in

favor of that measure. GENERAL THOMAS AT THE WAR DE.

PARTMENT. When General Thomas visited the War Department, this morning at 11 o'clock, he immediately went to the room of Mr. Stanton. where Judge Fisher, General O. O. Howard, and several members of Congress were assembled. General Thomas addressed Mr. Stanton, say.

"Mr. Stanton, I have this morning again received orders from the President directing me to take charge of the War Department and the records thereof, and discharge the duties of Secretary of War ad interim. In obedience to that order, sir, I am here to take charge of the Department and assume the duties of Secretary of War ad interim."

Mr. Stanton replied : "I do not acknowledge the authority of the President to give any such order, and refuse to surrender the Department to you. You will proceed to your room, sir, and discharge your duties as Adjutant General

General Thomas replied: "I will not do so, sir. I have been ordered by the President to discharge the duties of Secretary of War ad interim, and I will obey that order."

Gen. Thomas went into Gen. Shriver's room, where he conversed a short time with several who were present, after which he withdrew. Gen. Howard, Commissioner of the Freedmen's Bureau, has been with Mr. Stanton for

During the morning Mr. Stanton was visited by many members and Senators, but by twelve o'clock they were all at the Capitol, and this afternoon he was engaged in transacting the business of the Department, and received per-

sons who called upon business.

to the visitor to enter.

by an armed sentinel, while a number of messengers and attendants are on duty in the passages. A Lieutenant has been placed in charge of the guard at the Department, and he occupies a stat near the foot of the stairs. The room of the Assistant Adjutant General is kept closed. and a messenger stands at the door, refusing admission to all until the card of the vesitor has been handed to the Assistant Adjutant General. E. D. Townsend, and he has given permission

Should a writ of quo warranto be issued compelling Mr. Stanton to appear in person before the Court and show by what authority he holds the War Department it would seem to be a very difficult matter for the Marshal to gain admission to serve the same, unless by Mr. Stanton's consent. No one is admitted to his room until after a card is presented, while in the antiroom leading to his room some six or eight messengers are on duty who refuse admission to all. The door of the ante-room as well as the door of Mr. Stanton's room are kept closed.

AT THE WHITE HOUSE. The President is in his office at the White House, and has been visited during the day by number of officials and army officers. Secretary McCulloch bad a long interview with him this afternoon.

MR. EWING NOMINATED. The President sent in to the Senate to-day the nomnation of Thomas Ewing, senior, to be Secretary of War.

By The legitimate and illegitimate children of Tom Sayers are at law for his property. Smallpox is committing fearful ravages in Toronto, Canada. Mrs Lander interrupted an impressive scene in "Elizabeth," at Chicago, to rebuke a pair of chattering females in a presentium box.

CONGRESSIONAL IMPEACHMENT.

House .- After our report closed on Satur-Mr. Bingham concluded his speech in favor

of the impeachment resolution reported by the Reconstruction Committee. Mr. Farnsworth, of Illineis, said that they had been told by the gentleman from New York (Mr. Brooks) that if the President should be tried and convicted, he and the Democratic party would not stand it. The gentleman, in a dramattie and sensational manner, also told the House that he never would stand it. Hearing these things, he (Mr. Farnsworth) thought they were carried back years ago, when he listened to similar threats on this floor just preceding the rebellion. The galleries were at that time filled, but by a class of people different from that which now occupied them, and who applauded to the echo the threats and menaces then expressed. He would tell the gentleman that when the President should be impeached in the mode pointed out by the Constitution for high crimes and misdemeaners in office if it were not profane, he would call God to witness that the gentleman must stand it. He cared httle for Andrew Johnson. For months past he never had a doubt that the man would be impeached. He had believed that the evil in the man would come out, and step by step develope itself, until he capped the climax by violating the supreme law of the land—the Constitution of the United States. In the correspondence with Gen. Grant, the President said his action with reference to the suspension of Mr. Stanton was not under the tenure of office bill, but under the Constitution, and outside of that law; and that he was only exercising his constitutional right. What did the President say now? Was he acting under the tenure of office bill or the Constitution? Mr. Farnsworth then read from the Constitution as to the power of the President to appoint to office by and with the advice and consent of the Senate. Mr. Barnes, with the consent of Mr. Farnsworth, read from another part of the Constitu-

tion, namely :- "The President shall be com-

Mr. Farnsworth .- I would inquire whether

mander-in-chief of the Army and Navy."

the Secretary of War is any part of the army. Mr. Barnes .- I contend that the Secretary of War is part of the army of the United States. Mr. Farnsworth .- The Secretary of War is a civil officer. Such a thing as the removal of a Cabinet officer during the session of Congress was never before done by a President. The gentleman from New York said if we enter on would expire be ore the trini was concluded. The President's letter to and Thomas presents a complete, compact, and perfect cause. We need swear no witnesses, and take no testimony. Read the law and the Constitution, and the case plainly as if the President had confessed the fact. I trust the Senate will do its duty, fairly and completely. It the President could remove Mr. Stanton he could remove every other member of the Cabinet, and all other officers excepting the members of the judiciary. We see by the newspapers that the President has created a new department, the department of the Atlantic. We now see that, failing to make a tool of Gen. Sherman, he recends so much of the order as assigns that officer to the command. We hear that he has here a pliant tool for the command. No donot he will find other tools Why create an additional department here Ignoring Gen. Grant, the President issued his orders direct to his subordinate. If the President did that, when he had a pliant tool h might order Gen. Grant into arrest. Who doubt his purpose? And when he has the War De partment and the army in his fist, and Grant under arrest, where are we! The army in the hollow of his hand, and where are we! If he can turn out others, he can turn us out. What is the effect? No reconstruction. The country is to be told that with his pliant tools he will force the Democratic party to nominate him and keep his seat warm.

Mr. Getz .- I don't think the Democratic party an be forced in that way. Mr. Farnsworth .- Do you say you will not upport him! Mr. Getz .- Yes: if he shall be nominated.

Mr. Farnsworth.-That's the old Democratic party practice of going it blind. [Laughter.] The House then took a recess until half past

EVENING SESSION. The House reassembled at half-past seven-

very few members present, but the galleries crowded. Mr. Farnsworth, who had fitteen minutes of his time left at the time the recess was taken. concluded his speech, expressing his belief that the Senate had patriotism and firmness enough to convict Andrew Johnson, and to remove him from the office which he had so long disgraced. The nation had been too long disgraced by this accidental President; by this man who had been made President by the assassin's pistol. He should be removed, if it cut short his term by only one day, and should be sent down to posterity, degraded and incapable of holding any office of trust or profit under the Government of the United States

Mr. Baker next addressed the House in sup port of the resolution of impeachment. He hought the time had come for it. He believed that the President had plainly, directly, consciously violated an important act of Congress, and with the purpose of setting it at naught The President's former course had lacked but one element of impeachment, and that was the element of definiteness. That element, Mr. Baker continued, was now supplied, and therefore the impeachment should no longer be delayed. He claimed that the attempt to remove secretary Stanton and to put Gen. Thomas in his place, without the advice and consent of the Senate, was a plain, literal, positive violation of the tenure-of-office law.

Mr. Kelley supported the impeachment resolution, and congratulated that Congress was about to rise to the dignity of the great duty cast upon it by the turpitude of Andrew Johnson. The area of the resolution was, however, too limited for him, though sufficient for the purpose proposed. They were about to arraign the great criminal of the age and country-a man who had been, for two years, plotting with bloody and deliberate purpose the overthrow of the country's institutions. This day two years the President had appeared in the streets of Washington, surrounded by a rebellions rabble, and had pointed out by name Senator Sumner and Mr. Stevens, of Pennsylvania, as object of the lawless mobs, whom he then hailed as friends. It was then his purpose to overthrow the Government, and to perpetuate his power. In that purpose he sought to bring the violent passions of the violent men of the South to bear upon the L gislatures of the people; and but for the hardy virtues of that stern patriot, Edwin M. Stanton, he might have carried out his intended coup d'état. When he found that the temptations of General Sherman and of Carinthian Thomas had been spurned by them, and that the President had found another honored general to undertake to act the part which St. Arnaud had acted for Louis Napoleon, when the French republic was be made by President Johnson; but he had confidence in the stern virtues and patriotism of Edwin M Stanton, and that confidence had not been misplaced. In his presence to-day that St. Arnand Thomas had appeared in the office of the Secretary of War, and demanded possession of the office. This was not a legal uestion. It was necessary that the usurper should be hurled from his position. It was not desirable that the liberties of the country should repose in the hands of one or two men Lincoln had been murdered and other honored men might be. It was just therefore, that, without undue delay, Andrew Johnson be degraded from the high office which he dis-

Mr. Beck addressed the House against the resolution. He had no doubt that Congress was prepared to take the last fatal leup-al though the only ground assigned for impeach-ment was that the President had taken the only step in his power to test the constitutionality of he tenure-of-office act. Was that sufficient ground for impeachment! He contended that it was the bounden duty of the President to take steps to test the question, and that the President would be false to his trusts as Chief executive of the nation if he did not do so. Mr. Logan spoke in support of the resolution He quoted the language of the tenure of office act to show that, without the consent of the Senate, the President could not appoint to ofhee or remove from office. The case was therefore, he argued, a very plain and simple one. If the President gave a commission to such an officer without the consent of the Senate, he was guilty, according to the law, of a high crime and misdemeanor, and was there-fore liable to impeachment. It could not be claimed that the President was ignorant of the law, for it was presumed (no matter how violent the presumption was on the part of the President) that every man knew the law. Having violated it he subjected himself to the pen-Mr. Holman spoke on the opposite side of the

Mr. Ingersoll spoke in support of the im-prachment resolution, referring to Mr. Brooks' remarks that the people of the country were against the action of Congress; but he would place against the statement of that gentleman testimony which he had just received from

from the Governor of that State. He would ask it to be read from the Clerk's desk.

"The usurpations of Andrew Johnson have created a profound sensation in this State. His last act is the act of a traitor. His treason must be checked. The duty of Congress seems plain. The people of Illinois attached to the Union I firmly believe demand his impeachment, and will heartily sustain such action by our Congress. The peace of the country is not to be trifled with by that presumptuous demagogue. We knew the national Congress will proceed wisely and cautiously. But let it proceed. Millions of loyal hearts are panting to stand by

B. J. OGLESBY, Governor. Mr. Trimble, of Kentucky, asked whether Mr. Ingersoll held that Edwin M. Stanton was still Secretary of War; and if so, whether the

Mr. Ingersoll said he had drawn no distinction between the fact and the attempt. He did not know whether Mr. Stanton was exercising the duties of that office.

Mr. Schenck promptly.—Yes, he is.
Mr. Trimble remarked that then the President was to be impeached for attempting to do a thing which he had failed to do. Mr. Ingersoll replied that that might be so. The President was a usurper for saying that the law was unconstitutioarl. Mr. Trimble inquired, who does know whether an act is unconstitutional? Mr. Ingersoll replied: We know. I know. At a quarter past ?! the House took a recess till 10 o'clock Monday morning, when the discusssion will be continued till 5 o'clock, when the vote will be taken.

To-day's Proceedings.

MONDAY, February 24. SENATE.-The Chaplain, Dr. Gray, in his prayer to-day, begged the Senators, in the midst of turmoil and strife that now raged around, not to be unmindful that God reigns. and that both Senators and Representatives should come prepared to discharge the high and difficult duties now depending upon them with clear hearts and consciences, and that the people throughout the whole country would respect inviolably the laws.

The galleries were all crowded, and the ut most silence prevailed. After the reading of the journal, a number of unimportant petitions were appropriately re-Mr. Johnson presented joint resolution of

Legislature of Maryland, relative to the rights of naturalized citizens, which was referred to Committee on Foreign Relations. charter of the city of Washington. Referred to Committee on District of Columbia

Mr. Edmunds called up the bill regulating the presentation of bills to the President and the return of the same. Mr. Drake was not prepared to offer an amendment to the bill, but the second section left it to a person outside of Congress to decide when a bill became a law, to-wit: the Secretary of State, and it also left it in the power of

bill to the Secretary of State He mought that the two Houses of Congress and their officers should alone have the power to declare when a bill became a law. Mr. Edmunds did not see the necessity of providing against the imaginary danger sug-

the President to deliver or not to deliver the

gested by the Senator from Missouri, (Mr Drake.) Mr. Buckalew thought it rather improper pass a law the effects of which would be to amend the Constitution of the United States The Constitution declares when a bill shall be come a law, and now this bill is brought for ward to after the meaning of the organic law. Mr. Davis asked that the bill be laid over. Mr. Edmunds said there was nothing fright-

ful or revolutionary in the bill. Mr. Davis did not think the honorable Senator from Vermont, (Mr. Edmunds.) was a very good judge of what was revolutionary. Mr. Hendricks explained that this bill had been inspired by the circumstances attending the action of the Executive on the bill striking the word "white" from all laws and or d nances relating to the District of Columbia. He, however, did not wish to be understood that its ef-

fect would be to make that bill valid. HOUSE OF REPRESENTATIVES .- The PACES aken at 11 15 on Saturday night expired at 10 o'clock this morning, and the House was called to order promptly at that hour-the galleries being crowded to their utmost capacity; but the attendance of members upon the floor at the

opening was meagre.

Mr. Ashley (O.) opened the business of th day, by speaking in favor of the resolution of mpeachment. He said he approached this question with no feeling of party spirit, but he indeavored to take a broad view of the whole subject. Before proceeding with the line of his argument he desired to call attention to the statute under which he believed the President was guilty, and he then read the 5th section of the Tenure-of-office act. In defiance of this provision of law the President had on Friday last removed the Secretary of War. While h regarded this as one of the smallest offences of which this man had been guilty, yet it was sufficient to satisfy all that the President's purpose was to violate the law. The offence of Mr. Johnson must satisfy all of the justice of impeachment, who had hitherto held that the President could not be impeached, except for some direct violation of statute law He could not call to mind a single instance where the President had removed any officer who was confirmed by the Senate without the consent of the Senate. He denied the right of the Executive under any law preceding the Teaure of Office of law to effect removals without the consent of the Senate. There was no warrant in the Constitution which would authorize the President to peremptorily remove a faithful public officer while the Senate was in session, without the consent of the Senate. It there were no statute against removal, the President would still be amenable for an infraction of the Constitution. But this is one of the smallest of the crimes of which the President of the United States had been guilty, and it would be so shown when the case comes to be tried before the Senate This President has arrogated to himself and usurped the law-making and the judicial power of the country. He claimed the power to conduct reconstruction; he conspired and consented to the massacres of Memphis and New Orleans, and is held to the just execration of all the country; he has used the money of the country for unlawful purposes; and with entire disregard of oaths and of law he has tried to bring on a conflict with the different branches of the Government. He had made every effort to prevent reconstruction, and a new revolution will be upon us if the President is not brought to the bar of the House and tried. It was for the purpose of keeping the President in check that Congress was compelled to resort to extraordinary legislation, and still the President is violated law, until no course is left but to put him on trial before the Senate. The House of Representatives is again to be brought to a vote on a case of transcendent importance Again we are to be brought face to face with a man whom loyalists and rebels recognize as a traitor, and as a conspirator against the life of the nation, and who, as President, has done more to make the lost cause respectable than any general of the late rebel army could possibly have done, and, under these circumstances, dare no longer shrink from wresting from this usurper the power he has abused. In this connection, Mr. Ashley hoped the House Would pardon him for repeating what he had said upon a former occasion, and he proceeded to read a speech delivered when he first brought the question of impeachment befor the House. He had no doubt that the result of this trial would fully vindicate the course he had pursued, but he could say honestly and truly that he would prefer not to be sustained if the President's innocence could be fully established. But he honestly believed that Anfrew Johnson was a usurper, and has corruptly used all the power entrusted to him. Believing thence, it was the duty of the House Mr. Cook, (Ill.,) to whom Mr. Ashley yielded for two minutes, said he should vote for this

resolution if there were no tenure of office act, because he did not believe the President had any power under the Constitution to remove a Cabinet officer while the Senate was in session. It was to him not only a violation of the law, but also a violation of the Constitution. Mr. Boyer (Pa.) opposed the resolution. He referred to the numerous acts this Congress had passed which he claimed were unconstituhad passed which he claimed were unconstitutional. Twice before efforts had been made to
impeach, but these efforts had failed, and this
admitted that until Friday last this Congress
had not been able to find any ground of crime
against the President. In this effort it is not
pretended, in view of the former action of this
House, that there was any cause for impeachment of the President until on the list instant.
when Mr. Johnson removed Mr. Stanton and
appointed Gen. Thomas, This is the head and
front of Mr. Johnson's offending, and for this
cause only the nation is to be seen whether
the people of this country will endorse this effort to perpetuate the power of Edwin M. Stan-

Illinois in the shaps of a telegraphic dispatch The dispatch was then read, being to the fol-

because he has acted contrary to the provisions of the Tenure-of-office act. He would not before this tribunal discuss the constitutionality of this act, but he would attempt to show that the President must obey the Constitution of the United States rather than a statute, and if he erred in judgment it was no cause for impeachment. But admitting that the Tenure-of-office act was constitutional, the President had not been guilty of any violation of law, for by the very terms of the Tenure-ofoffice act Mr. Stanton was a mere tenant at sufferance, as he had not been appointed to office by Mr. Johnson. In the stars and stripes. Have no fear. All will be well. Liberty and order will again triumph. that law it was provided that Cabinet officers should only hold office during the term of the President by which they were appointed. Mr. Stanton was not appointed by Mr. Johnson, but by Mr. Lincoln, in his first term of office, and he was consequently Secretary of President was to be impeached for removing War under Mr. Johnson by sufferance only. and he would like to hear the proof under the Tenure of Office act which gave Mr. Stanton power as Secretary of War. The Tenure of Office act left the case of Mr. Stanton outside of its provisions, for he was not Mr. Johnson's

Secretary of War. Mr. Boyer quoted from a law of an early Congress, showing that the President had power to remove and appoint officers, and he said he challenged anything that would show a repeal of that law.

Mr. Myers (Pa.) said he could answer, and was proceeding, when
Mr. Boyer said he had not yielded for a speech,

but simply to be informed what law had repealed the law he first referred to. Mr. Myers would answer if his colleague would permit him to do so. Mr. Boyer would yield for an answer, but not for a speech, and he resumed the floor.

Mr. Schenck.-Oh, he does not want to be Mr. Boyer then resumed, and argued in the line first pursued, that Mr. Stanton was a Mr. Johnson at any time. But it is said on the other side that the President has already recognized Mr. Stanton as Secretary of War. Admitting this to be a fact, the President had a right to exercise his judgment and discretion in his construction of a law of Congress. mere tenant at will, and subject to removal by

Mr. Kelsey (N. Y.) advocated the impeachment resolution. He argued that Andrew Johnson is not, never was, and he hoped never would be President of the United States. He is would be President of the United States. He is simply Vice President of the United States acting as President, and filling out the unexpired term of Mr. Lincoln. It is true he has assumed the title of President, but he is not clothed with all the full powers of a President elected by the people. But in discussing the question he would proceed to notice and express his views of what effect the impeachment of an officer would have upon the period. ment of an officer would have upon the posi-tion of the person impeached. He contended that, under the clause of the Consutt which provides that all triais small be by a jury except impeachment; the fact of impeachment was a criminal offence and the President was accordingly liable to removal from office pending his crial. The articles of impeachment take the place of an indictment and therefore all principles that govern the rules of evidence in criminal cases must govern in cases of impeachment. The object of this tria was to prevent a criminal from doing a tertain act or class of acts and unless there was the power to control the criminal during trial the very unlawful act complained of might be pushed to a consummation. It was a recognized rule that no man could be tried for a crime in his absence, and hence the tribunal conducting the trial must have control of the person of the party accused. If he is permitted to be in the full exercise of all his functions, there cannot be such control as is contemplated by the law. The official power of the person impeached is therefore suspended—1st. Because impeachment is a criminal offense; 2d. Because no criminal can be tried unless he is present in person; 3d. He cannot be properly tried if he is in a position to control his judges or any one of

Mr. Cake (Pa.) advocated the adoption of the resolution. The same cry that greeted our ears now, (a violation of the Constitution,) greeted our ears seven years ago, he said, when the loyal men of the North sprang to arrest present treason. He had no confidence in these Constitution shrickers, and Andrew Johnson himself warned the people against those who continually prated about the Constitution. Andrew Johnson has been going on, step by step, in violation of law, and the House is today about to meet the demands of the loyal people of the North in bringing the renegate President to an account for the harm he has

done the country. Pending further remarks Mr. Cake's time ex-Mr. Beaman (Mich.) obtained leave to print

his remarks, and yielded his half hour in portions to several gentlemen, commencing with Mr. Price (lowa), to whom he yielded one minute. The latter advocated the impeachment. because he believed Mr. Johnson had rushed

madly upon his fate. Mr. Blair (Michigan) obtained twenty minutes of the time, and said the House was about to do the gravest act committed to it under the Constitution. The House of Representatives has the sole power of impeachment under the Constitution, and it is therefore acting within the bounds of that instrument, and gentlemen need not fear that the House will step be yond its bounds under the Constitution. He had besitated long before resorting to this ex-treme measure, because he believed we should bear many ills before resorting to it. But the time for besitation was passed, and he was glad that a clear case was presented, so that there was abundant reason why the people could sustain Congress in this action. Referring to Mr. Boyer's remarks about the usurp. ations of Congress, Mr. Blair said, on the other hand, the President had endeavored to intimidate Congress, and he would remind gentlemen of the utterances of the President two years ago, on the 22d of February. In this case there is no question of law involved, for the President has been guilty of a clear violation of law. Where did the President get authority to make this removal of Mr. Stanton over express interdict of the Senate of the United States. It is too late for the President to say be appeals to the Constitution. He has, by his own act foreclosed the question as to the constitutionality of the tenure of office act, for he submitted the matter of Mr. Stanton's removal to the Senate, and that body overruled him, and declared that Mr. Stanton was the Secretary of War; that the President had no authority remove him. The President has set himself against this Congress continually, and has not been willing to submit when fairly beaten. We are compelled to the removal of Mr. Johnson. because the peace of the country demands it. Mr. Driggs (Mich.,) had only to say that were the whole Democratic party thundering at the doors of the House to-day, as threatened by Mr Brooks the other day, he would vote for this resolution, and he hoped all would vote in a fearless manner.

Mr. Washburne (III.,) declared he should

vote for the resolution before the House, acting with the majority of the Republican members of the House. He had not hitherto favored imeachment against the President of the United States not because he did not believe him morally guilty of impeachable offences; not because he did not execrate his administration, but because he felt that in the case as heretofore presented there might be a doubt of his conviction. Rather than branch out on a doubtful experiment, he had been disposed not to push impeachment, in the hope that the President, warned of the power of the House, and indebted to its forbearance, would so conduct himself as to avoid the necessity of resorting to the extreme remedy provided by the Constitution. But all hopes had been disappointed. Every act of for-bearance had been but a fresh invitation to further and more flagrant aggressions, until at last he had flung himself against the very bulwarks of the Constitution, defying the laws and overriding a co-ordinate branch of the Goverament. The time had arrived when the cople's Representatives could no longer deay the vindication of the Constitution. Representatives could no longer delay the vindication of the Constitution. To him the pathway of duty was plain. He scorned the threats which had been made upon this floor. He feared no appeal to the people, but courted such appeal. Gentlemen had not read history if they had not learned that in all contests between an Executive and the Commons the representatives of the people had triumphed in the end. That great party which, by its patriotism, courage, fidelity, and patriotism and heroism, had carried the country in triumph and glory through the war would not now fail in its great mission. That party which were on the undimission. That party which were on the undi-vided and compacted strength of all the reb l arms, sustained and supported by the sympathy of two-fifths of all the voters in the States not of two-fifths of all the voters in the States not in open rebellion would not now be overcome by a band of mercenary camp followers of a corrupt and treasonable administration. The time had now come when the President should be promptly impeached for his last great crime committed against the Constitution. His longer continuance in office was a perpetual and enduring menace against the peace and prosperity of the country. The whole official career of the President had been marked by a wicked diaregard of all the obligations of public duty, and by a degree of perfidy, treachery, and turpitude unheard of in the alstory of the rulers of a free people. As mendacious as he was malignant, he had used his official position to barl down and decisory the bravest, the noblest, the best in the

interests of the country. It had prost ated ousiness, it had oppressed fabor, destroyed attes; impaired the public credit, and sapped the public morals. Surrounded by red handed retels, advised and counselled by the worst men that ever crawled like flithy r pules at the floatstool of power, he has used all the vast anthority of the Government to prevent a remove of the States, the resignation of the harunion of the States-the restoration of the harmony, peace and happiness of the country, The loyal men in the rebel States have been brought to a condition under his administration from the contemplation of which all men r coil with horror. Murder, rapine, incen-diarism, robbery, and all the crimes stalk through the whole land, and every day he remains in office adds to the long list of victims of retel vengeance, cruelty and hate. With such a President, nearly all the departments of the Government had become demoralized and corrupt to an extent which could find no parallel in the history of any country at any age, The Atterney General not satisfied by being the medium through which so many mail robbers, counterfesters, and public plunderers have been pardoned and turned loose upon the country, has, with ostentations and boastful audacity proclaimed that he will not vindicate the laws of Congress. Look at the Navy Department with its proflicacy, its extravagance, robberies, and persecution of the honest and best naval officers of the country. The administration of the Treasury Department was characterized by the most appalling frauds, with countless millions of revenue stolen to go into the pockets of thieves, partizens and plunderers, or to make up a vast political fund to demoralize and corrupt the people. The Interior Department with its land job bing and Indian contracts, and corrupt extensions of patents. The Post Office Department arraigned before the House by a committee of the House, and the State Department arraigned before the nations of the earth for its failure to vindicate the rights of the nation and the citizens of the nation. Confronted as we are this day by this state of things, so threatening to the national existence and so destructive to all that is held dear to posterity, where is the patriotic many of any olitical organization who does not call upon Congress to sternly do its whole duty, and purge the Capitol of the crimes which now defile the nation.

Mr Woodward (Pa.) addressed the House in

opposition to the resolution. He argued that

land. His admini tration has been a constant

and , relonged warfare a ainst all the material interests of the country. It had prost ated busi-

resolution was a great mistake, and that any impeachment of the President on the idea that Secretary Stanton was within the protec-tion of the tenure of office bill was what Fouche, the old chief of the French police, would have called worse than a crime-a blupder. Whatever Executive power the Federal Government possesses was vested in the President, whereas made the sole trustee of the people in that regard. In the matter of appointments to office and the treaty making power a check was imposed upon the President, but even in these instances the power exercised was the President's. The concurrence of the Senate was only a regulation for the exercise of the power. It was a mere advisory direction, not an Executive power. The separateness and completeness of this Executive power in the hands of the President was a decline essential to the harmony of the system of Government; and to the responsibilities of the President to the people, If Congress meddled with it Congress became a tresspasser, and its act an impudent nulity, and the President was not to be impeached for disregarding it. He quoted extracts from the debates in the first Congress upon the Execu-tive Department, and argued that that debate settled the question absolutely, and demonstrated the utter unconstitutionality of the act of March 2d, 1877. He also argued that by the very terms of that act itself Mr. Stanton did not come within its scope, and quoted Senator Sherman and Mesers. Spalding the law when it was under consideration. Mr. Johnson was a man of the Republican party's own choosing, and he verily believed that the President was trying to restore the Union-to pacificate the country, and to administer his high office with a faithful regard to the obligations of the Constitution and the best interest of the people. He seemed to him to be a true friend to the whole of his country. a faithful public officer, and entitled to Cabinet advisers who were his friends, and not his enemies. Congress had far better sustain such a man in his constitutional rights, and address itself to the relief of the suffering country, than to waste its time and the people's money in impeaching a faithful public servant on charges that are both false and foolish. At the aisle of denunciation, he (Wood) denied the right of the House to impeach anybody and the right of the Senate to try any impeachment. The House was not composed, as the Constitution required. of members chosen by the people of the several States, nor was the Senate composed of two Senators from each State. In conclusion he said; Mr. Speaker, so sure am I that the American people will respect the objection, that if I were the President's counsellor, I would advise him, if you prefer articles of impeachment, to demur to your juris-diction and that of the Senate, and to issue a proclamation giving you and the world notice that while he held himself impeachable for misdemeanors in office before the Constitution, he never would subject the office he holds in trust for the people to the irregular, unconstitutional, fragmentary bodies who propose to strip him of it. Such a proclamation, with the army and navy on hand to sustain it, would meet a popular response that would make an end of impeachment and impeachers.

IMPEACHMENT. Important Dispatch from Gov. Geary. Gov. Geary, of Pennsylvania, yesterday sent.

the following: "Hon. Simon Cameron, United States Senat. Washington, D. C .: The news to-day has created a profound sensation in Pennsylvania. The spirit of 1861 seems again to pervade the Keystone State. Troops are rapidly tendering their services to sustain the laws. Let Congress JOHN W. GEARY."

HOW THE COUNTRY RECEIVES THE

The Feeling in New York. The sudden news of the imbroglio in this city, took New York by surprise on Saturday morning, as the great majority of the people had previously heard no rumors of the situation. The excitement and uneasiness was increased when the evening papers appeared with the startling heading, "Revolution." The Herald of yesterday says:

"The holiday appearance of the streets, the closed stores in the few places where business was suspended in observance of the anniversary of February 22; the national ensign floating on so many house-tops and the tramp of a few regiments down Broadway were also painfully suggestive to persons of timid or nervous temperaments. The eye took in the gay fluttering of bunting beneath which the City Hall was half hidden, or ranged up the vista of Broadway, with its double row of flags floating from the tall flagstaffs, or paused to view the throngs trooping up and down the great thoroughtare to catch sight of the expected military, and the mind went back to that April day in 1861 when similar decorations on every housetop evinced the war spirit of the people; when the streets resounded with the tramp of regiments starting for the national capital, and when the great meeting at Union square first "fired the Northern heart." The coincidence was too striking not to be noticed; too impressive not to be felt. The good citizen breathed a prayer that the parallel might not go farther, and sought for the most hopeful features of the news, but not without a misgiving as to the lengths into which the passions of men and parties too frequently may lead

Behind the discussion of the news yesterday might be perceived the sober second thought of the community in opposition to everything like extreme measures. The first fiash of the news produced its excitement, but as the day wore on there was a general relapse into a determi-nation to do nothing hastily, nothing that would contribute fuel to the flame of discontent or inmult, nothing that would be material to fire the angry passions of those who are too ready to cast aside all considerations but those of party and politics The time has gone by, or rather the time has not yet come, when mere partisan questions can involve the masses of our people in dangerous quarrels. The monarchical axiom that "the king can do no wrong" has its parallel with our nation in the truer axiom that "the people are always right," and so they will prove themselves in the present crisis. The present question will receive its amicable solution at their hands. While the Hotspurs and destructives on both sides ready to resort to violence, the people are willing to leave its adjustment to the courts—the proper tri-bunal—and such was the feeling with which the news was dismissed by them yesterday. Even with all the exaggerated disturbance that the market received, the rise in gold was not such as to portend any very serious results from the crisis, so far at least as the signs thereof were interpreted by those who had so absorbing an interest as a pecuniary one at stake.

The New York "Tribune" Declares for NEW YORK, Feb. 22 .- The Tribune of to-morrow norning will take very strong grounds in favor of the impeachment of President Johnson. It says: "There is no avoiding this conclusion; no explaining away; no middle course. Congress must assume the responsibility of impeaching him; not to do so in the face of the flagrant and insolent proceeding is to become a partner in the crime. It is no time to consider party influence of impeachment, or the effect

partier in the crime. It is to the to consider party influence of impeachment, or the effect upon the Presidential candidates. We would rather see the Republican party, candidates and all driven into the deserts of Arabia than to have them tremble one moment in the pres-

Plenty of labor in Kausas, Cleveland has a colored barber of the fe-

but be died from over-exercist search \$25, and, ARMES P. GORDON